

Old Market NDP: BASIC CONDITIONS STATEMENT

(January 2015)

1. Legal Requirements

1.1 This Statement has been prepared by the Old Market Community Association to accompany its submission to the local planning authority Bristol City Council of the Old Market Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Old Market Community Association, a qualifying body, for the Neighbourhood Area covering the Old Market area, as designated by Bristol City Council on the 31st January 2013.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan extends until the end of 2026 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.4 This Statement addresses each of the four ‘basic conditions’ required by the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
- The making of the neighbourhood development plan contributes to the achievement of sustainable development;
- The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

2. Introduction and Background

2.1 Four years ago, the Old Market Community Association was formed to give the local community a collective body that could discuss and influence the changes that were happening in Old Market. The group also wanted to influence the future development and regeneration of the area, and decided to become one of the first groups in Bristol to write a neighbourhood development plan.

After work with the Princes' Foundation and other consultation with the community, a draft plan was produced in Autumn 2013 and the Reg 14 consultation undertaken. Responses from this consultation have been considered, and some minor changes made to the policies in the plan as a result. It is now ready to be submitted to Bristol City Council, the Local Planning Authority.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Development Plan (NDP) has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of April 2012. It is also mindful of the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in respect of formulating neighbourhood plans.

3.2 Set out in Table 1 below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: Conformity of the Neighbourhood Plan (NDP) policies to the NPPF

NDP Policy Number	NPPF paragraph	Comment on conformity
T1 Backstreets and footpaths	29, 30	Low carbon and sustainable transport is promoted with this policy.
T2 Old Market St and West Street.	29, 30, 57	Low carbon and sustainable transport is promoted with this policy, as well as a better urban environment in design terms.
T3 Short term business parking	29, 40	The policy supports sustainable travel and protects adequate parking in the city centre.
T4 Residential Parking	39	The policy takes local conditions are car ownership into account.
B1 Protection of historic buildings	126, 135	The policy looks to conserve and enhance Old market's heritage, both listed and of local significance.
B2 Beautiful new buildings	56 - 58, 137	Good design, respectful of the historic context is sought by this policy.
B3 Shop front design	56 - 58, 137	This policy also seeks good design, respectful of the historic context specifically for shop frontages.
B4 Building Conversion	56, 57, 132, 135	Conversion of existing buildings is encouraged as long as it conserves and enhances visual and historic aspects.
B5 Redevelopment in Industrial Areas	37, 51, 56	The policy aims to increase street activity and mixed use in industrial areas, while still protecting employment land.

NDP Policy Number	NPPF paragraph	Comment on conformity
C1 Mixed use and employment	20, 37	Mixed use residential and small scale working space is promoted with this policy.
C2 Retail units	23	Promotes a diverse retail offer.
C3 Development for retail potential	23	Promotes flexible space suitable for retail use.
C4 Supermarket	23, 24	Old market residents would like a local supermarket.
C5 Community Facilities	69, 70	Provision of community facilities are promoted by this policy.
C6 Better balanced housing	50, 69	This policy aims to work to a more balanced community and increase the supply of housing suited to larger families.
C7 Pre-application consultation	66, 71, 189	Pre-application consultation is given “great importance” in the NPPF.
C8 – C14 Site specific policies	56 – 59, 64	Site specific design guidance in line with the NPPF’s promotion of good design are set out in these policies.
E1 Trees	109, 118	This policy aims to protect existing biodiversity and specifically trees
E2 Wildlife	109, 114	Wildlife corridors are protected in this policy
E3 Open Spaces	73	Local open space is protected in this policy.

4. General conformity with the strategic Policies of the development plan

4.1 The development plan for Bristol is the Bristol Core Strategy (BCS) adopted in 2011 and The Site Allocations and Development Management Policy Local Plan (SADMP) adopted 2014, together with the 1997 saved policies applicable to the City Centre. There is also an adopted Joint Waste Core Strategy, but this document is not applicable to this plan as it deals with excluded development.

4.2 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for Bristol City Council, and the emerging Central Area Plan (BCAP). The latter is still in progress, but policies in it have been considered to ensure the Neighbourhood Plan is robust into the future.

4.3 Table 2 below sets out how each policy is in general conformity therefore with the BCS, the SADMP and the BCAP. The 1997 Bristol Local Plan (BLP) saved policies are mentioned where relevant.

Table 2: Conformity of Neighbourhood Plan policies with the strategic development plan policies

NDP Policy	BCS policy	SADMP policy	BCAP/ 1997 BLP	Comment on conformity
T1 Backstreets and footpaths	BCS2; BCS10		BCAP 30	
T2 Old Market St and West Street.	BCS2	DM28		
T3 Short term business parking		DM 23	BCAP 29	
T4 Residential Parking		DM23	BCAP 29	
B1 Protection of historic buildings	BCS22	DM26	BCAP 46	
B2 Beautiful new buildings	BCS2 BCS 21	DM26	BCAP 46	
B3 Shop front design		DM29		
B4 Building Conversion		DM30		
B5 Redevelopment in Industrial Areas		DM13	EC5 – BLP BCAP 1, BCAP 31	The 1997 saved policy EC5 protect the industrial designation. This policy aims to protect the employment use and density, while improving the vibrancy of the area, introducing mixed use and some residential, in line with more recent government guidance in NPPF.
C1 Mixed use and employment			BCAP1	
C2 Retail units	BSC7	DM8	S6 – BLP BCAP 17	Saved Policy S6 preserves secondary retail frontages for the primary retail uses of A1, A2 and A3. This policy is looking to restrict other uses where they are identified as a potential threat to retail diversity by reason of proliferation.
C3 Development for retail potential	BCS 7	DM8	BCAP 13	
C4 Supermarket		DM8		
C5 Community Facilities		DM14		
C6 Better balanced housing	BCS18		BCAP 3	
C7 Pre-application consultation				This is in general conformity with the Council’s policies on consultation.

NDP Policy	BCS policy	SADMP policy	BCAP/ 1997 BLP	Comment on conformity
C8 – C13 site specific policies			CC3 - BLP	None of these sites is specifically mentioned in the BCAP; saved policy CC3 promotes mixed use development within the area.
C14 Site specific policy (miscellaneous)			BCAP 37 KS05	The ‘Ambulance site’ is key site 05 (KS05) in the BCAP, and policy BCAP 37 refers to development proposed for the site. The proposals in policy C14 are felt to be in general conformity with this emerging policy.
E1 Trees	BCS9	DM17		
E2 Wildlife	BCS9	DM19		
E3 Open Space	BCS9	DM16	NE1 – BLP BCAP25	

5. Contribution to Achieving Sustainable Development

5.1 A Sustainability Appraisal has not been undertaken as this is not a requirement for a Neighbourhood Plan. However, the Neighbourhood Plan has taken account of the need to contribute to the achievement of sustainable development.

5.2 The strategic objectives of the Neighbourhood Plan have sustainability at their heart. The vision is for a vibrant neighbourhood that is a pleasure to move around in using sustainable transport. The plan aims to:-

- **Enable People to move around better**
- **Improve the attractiveness of the area through beautiful old and new buildings**
- **Encourage more employment, better shops, housing and local facilities**
- **Protect and enhance open spaces**
- **Improve the health and wellbeing of the population**

5.3 Table 3 below has assessed our plan’s policies in terms of how it will deliver sustainable development in the economic, social and environmental aspects of sustainability. It shows that the plan’s policies are either neutral in effect or will make Old Market Quarter more sustainable.

Table 3: Assessment of sustainability of Neighbourhood Plan policies

Policy no. and title	Economic factors	Social factors	Environmental factors	Comments
T1 Backstreets and footpaths	*	**	**	Improves air quality
T2 Old Market St and West Street.	*	**	**	Improves public spaces
T3 Short term business parking	**	*	-	Sustains viability of businesses
T4 Residential Parking	*	*	-	
B1 Protection of historic buildings	-	-	**	Halts and reverses harm to heritage assets and their settings
B2 Beautiful new buildings	*	*	**	
B3 Shop front design	*	-	**	
B4 Building Conversion	*	-	**	Ensures that conversions do not create unusable spaces
B5 Redevelopment in Industrial Areas	*	-	*	
C1 Mixed use and employment	**	*	-	More flexible approach to building use
C2 Retail units	-	*	-	
C3 Development for retail potential	*	-	*	Safeguards potential to use ground floor for a variety of activities
C4 Supermarket	*	**	*	
C5 Community Facilities	-	**	-	
C6 Better balanced housing	-	**	-	Promotes creation of a mixed community and choice of housing
C7 Pre-application consultation	-	**	-	
C8-C14 Site specific Policies	-	*	**	
E1 Trees	-	*	**	Protects existing trees and encourages planting of new trees
E2 Wildlife	-	*	**	Protects wildlife habitat
E3 Open Space	*	**	**	Retains and enhances green space, important for health and well-being of residents

Assessment of policies ** very positive * positive - neutral x negative xx very negative

6. Compatibility with EU Obligations and legislation

6.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

6.2 A screening opinion was issued by Bristol City Council in November 2014 (attached as appendix 1 to this statement) which advised that the Neighbourhood Plan

“ is unlikely to have any significant environmental effects.

Therefore Strategic Environmental Assessment, of the Old Market Neighbourhood Development Plan, is not required.”

6.3 The Neighbourhood Area is not in close proximity to any European designated nature sites so does not require an Appropriate Assessment under the EU Habitats Regulations.